

FILED

IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AUG 25 2008

AUG 25 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

DERRICK HAYNES, #2007-00-77847
THOMAS M. PERCONTI, #2007-00-35070
CHARLES B. HILL JR., # 2005-00-084808
FRED ROGERS, #2007-00-20387

-vs-

THOMAS DART, SHERIFF
SALVADORE GODINEZ, EXECUTIVE DIRECTOR
M. FIGLIULO, SUPERINTENDENT DIV.#10
C. PLAXICO, CHIEF OF SECURITY DIV.#10
JOHN MUELLER, PROGRAM SERVICES
GERMAK MENTAL HEALTH SERVICES

08CV4834
JUDGE CONLON
MAG.JUDGE VALDEZ

MOTION FOR APPOINTMENT OF COUNSEL

Now comes the plaintiffs, Derrick Haynes, Thomas M. Perconti, Charles B. Hill jr. and Fred Rogers, Pro se pursuant to U.S.C. 28 1915(e)(1). Plaintiffs move for an order appointing counsel to represent them in this cause. In support of this motion the plaintiffs state the following:

1). The plaintiffs are incarcerated at the Cook County Department of Corrections (CCDOC). Because of their incarceration they are indigent and therefore unable to obtain legal counsel from the private sector to litigate their cause.

2). The plaintiffs have requested leave to file informa pauperis and are awaiting an answer from the Court at this time.

3). The plaintiffs are of various ages and ethnic backgrounds. That being Derrick Haynes a 46 year old African American male with a 9th grade education which also suffers from Bi Polar/ Manic Depression with Suicidal tendencies, Thomas M. Perconti a 36 year old Italian American with a 12th grade education that suffers from Bi Polar/ Manic Depression with suicidal tendencies, Charles B. Hill jr., a 37 year old African American Male with a 12th grade education that suffers with severe Depression/Post traumatic stress disorder/Mood swings and Anxiety, and Fred Rogers a 47 year old caucasian American male with only a 10th grade education who suffers with Bi Polar / Manic Depression with suicidal tendencies as well. The plaintiffs being classified Acute Psychological detainees would greatly benefit from the appointment counsel. It would assist the Court as well with moving things along more smoothly if there were two attorneys that could communicate with each other and the Court.

4). The plaintiffs incarceration and there various mental illnesses will greatly limit if not completely hinder their ability to litigate there cause. The issues involved in this case are so complex it requires research into the realm of Psychological and Theraputical methods of treatment, housing, supervision and the confinement of mentally ill pre trial detainees here at CCDOC. If an investigation must take place and also expert witnesses may be needed as well. Therefore their present incarceration and mental illnesses that the plaintiffs suffer from put them at a grave disadvantage to the defendants that will have an entire legal firm at as well as the State's Attorneys office behind them. Which does not ensure the plaintiffs a fair and level playing ground should this cause make it to trial. Plaintiffs would not be able to undertake such tasks and would greatly benefit from having an attorney to represent them.

5). The plaintiffs have limited access to the law library at CCDOC. The law library is inadequate inthat it is either missing or not equipped with the necessary materials needed to assist them in litigating this cause should it make it to trial.

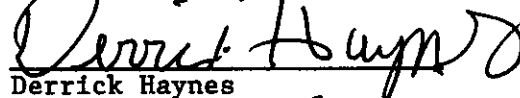
6). A trial of this case will likely involve conflicting testimony, expert witnesses and the direct examination as well as the cross examination of witnesses and the presentation of evidence, not mention court room litigation. And having counsel would greatly enhance the plaintiffs chances of litigating their cause and move things along alot smoother having two experienced attorneys on both sides.

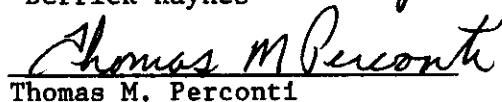
7). The plaintiffs have a Constitutional right to counsel. citing! **Montgomery v. Pinchak**, 294 F. 3D 492,499 (3rd Cir. 2002), **Hendricks v. Coughlin**, 114 F. 3D 390 (2D Cir. 1997), and **Parham v. Johnson**, 126 F. 3D 454, 461 (3rd Cir.1997).

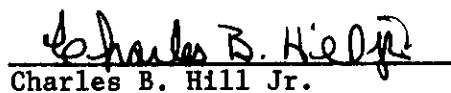
8). The plaintiffs have made repeated attempts to try and procure legal assistance from the private sector for their cause. Attached is a copy of the letter that was forwarded to various legal firms requesting there help for their legal endeavors. Also inclosed is a list of legal firms that the plaintiffs have contacted by placing a letter in the mail at the Cook County Department of Corrections on 1 July 2008.

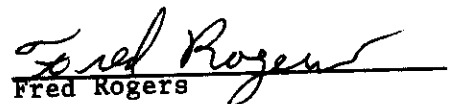
WhereFore, the plaintiffs Derrick Haynes, Thomas M. Perconti, Charles Hill jr. and Fred Rogers. Prays that in the interest of justice that this Honorable Court aid them in righting the wrong of the CCDOC by appointing them counsel in this matter.

RESPECTFULLY , SUBMITTED


Derrick Haynes


Thomas M. Perconti


Charles B. Hill Jr.


Fred Rogers

1 July 2008

Original Copy

Derrick Haynes
2007-00-77847
Thomas M. Perconti
2007-00-35070
Charles B. Hill Jr.
2005-00-084808
Fred Rogers
2007-00-20387
P.O. Box 089002
Chgo., Ill., 60608

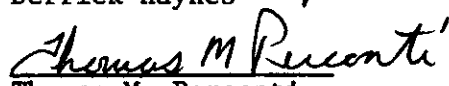
re: Legal Counsel for Civil Tort Claim

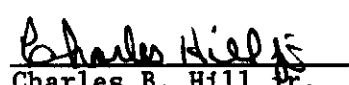
To whom it may concern,

We the undersigned are writing to you because we are in desperate need of legal counsel for our class action legal claim against the Cook County Department of Corrections. We are psychologically challenged / mentally ill pre trial detainees at the jail. We have been wronged by this administration and will continue to be unless we succeed in our legal endeavors. This is an attempt to procure your services to represent us. The claim is a deliberate indifference to are serious psychological needs. For that we need an attorneys help. If theres any thing that you or your firm can do please contact us ASAP. Thank you for your assistance in this matter. If you cannot help us at this time please forward this letter to a legal firm or an attorney that will help us.

SINCERELY , YOURS


Derrick Haynes


Thomas M. Perconti


Charles B. Hill Jr.


Fred Rogers

Firm Name	Address	Telephone Number	Contact
Baker & McKenzie	One Prudential Plaza 130 East Randolph Drive Chicago, Illinois 60601	(312) 861-8000	Angela C. Vigil (Director)
Bell, Boyd & Lloyd LLC	70 West Madison Street Suite 3100 Chicago, Illinois 60602	(312) 372-1121	
Gardner Carton & Douglas LLP	191 North Wacker Drive Suite 3700 Chicago, Illinois 60606-1698	(312) 569-1000	Kevin Freeman (Chair) Tracy A. O'Keefe (Co-Chair)
Goldberg Kohn Bell Black Rosenbloom & Moritz, Ltd.	55 East Monroe Street Suite 3700 Chicago, Illinois 60603-5802	(312) 201-4000	David Chizewer
Holland + Knight	131 South Dearborn Street 30th Floor Chicago, Illinois 60603	(312) 263-3600	Stephen Hanlon
Hopkins & Sutter	Three First National Plaza 70 W. Madison Street, Suite 4100 Chicago, Illinois 60602-4231	(312) 558-6600	
Katten Muchin Rosenman LLP	525 West Monroe Street Suite 1600 Chicago, Illinois 60661	(312) 902-5479	Jonathan K. Baum (Director)
Kirkland & Ellis	200 East Randolph Street Chicago, Illinois 60601	(312) 861-2000	Linda S. DeBruin Joseph M. Russell
Latham & Watkins	Sears Tower, Suite 5800 233 South Wacker Drive Chicago, Illinois 60606	(312) 876-7700	Amos E. Hartston (Pro Bono Counsel)
Lord Bissell & Brook	111 S. Wacker Drive Chicago Illinois 60606	(312) 443-0700	Jack Graff (Executive Director)
Mayer, Brown, Rowe & Maw	71 South Wacker Drive Chicago, Illinois 60606	(312) 782-0600	Marc R. Kadish (Director)
McDermott Will & Emery	227 West Monroe Street Chicago, Illinois 60606-5096	(312) 372-2000	Donald B. Hilliker Lou Covotsos
Rudnick & Wolfe	203 North LaSalle Street Suite 1900 Chicago, Illinois 60601	(312) 368-4000	Lisa Dewey (Partner) Roberta Ritvo (Manager)
Sachnoff & Weaver	30 South Wacker Drive Suite 2900 Chicago, Illinois	(312) 207-1000	Jack Block (Chair)
Sidley & Austin	One First National Plaza Chicago, Illinois 60603	(312) 853-7000	Richard F. O'Malley
Sonnenschein Nath & Rosenthal	233 South Wacker Drive Chicago, Illinois 60606	(312) 876-8000	Terrance A. Norton

Case 1:08-cv-04834 Document 7 Filed 08/25/2008 Page 5 of 6

Wildman Harrold Allen & Dixon	225 West Wacker Drive Suite 2800 Chicago, Illinois 60606	(312) 201-2000	Vilia Drazdys (Coordinator)
Winston & Strawn LLP	35 West Wacker Drive Chicago, Illinois 60601-9703	(312) 558-5600	Kimball R. Anderson (Chair)
Center on Wrongful Convictions Northwestern University School of Law	357 East Chicago Avenue Chicago, Illinois 60611	(312) 503-3100	
John Howard Association of Illinois	300 W. Adams St., Suite 423 Chicago, Illinois 60606	(312) 782-1901	

original Copy

centerforconstitutionalrights

666 broadway new york, ny 10012

t 212 614 6464 f 212 614 6499 www.ccr-ny.org

Dear Friend,

Thank you for your letter. The Center for Constitutional Rights is a non-profit legal and educational organization dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Most of our cases are large class-action law suits designed to challenge government or corporate misconduct that affects large numbers of people.

Although we can't represent you, we are happy to be able to provide you with the enclosed Jailhouse Lawyer's Handbook to aid you in case you decide to file a law suit yourself, challenging your treatment. We hope that you find it to be both a solid, informative resource, and an accessible introduction on filing Section 1983 suits, your constitutional rights in prison, and legal research in general. It is a free publication, to be copied and shared with fellow prisoners, family members and friends. Knowledge is power, and we hope you let others know about the Handbook. If you know people on the outside who are interested in obtaining a copy, they can download one from www.jailhouselaw.org or www.ccr-ny.org.

While we do not currently offer a newsletter or an extensive collection of other resources, there are additional materials that we can offer you. This includes the United States Constitution, the Universal Declaration of Human Rights.

As you start reading the handbook, please pay special attention to pages 36 and 37, in chapter A. These sections lay out very important information about statutes of limitation and exhaustion of the prison grievance system – if you don't comply with these requirements, you may lose your chance to sue about unfair treatment. Good Luck!

Sincerely,

Center for Constitutional Rights

